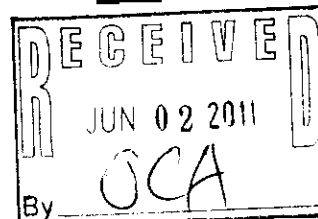




**Jeff Sessions**  
UNITED STATES SENATOR • ALABAMA

**FAX**



TO:

*Mr. Yeager*

OFFICE:

*Customs*

FAX NO:

(b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

PHONE:

(b) (6), (b) (7)(C)

DATE:

*6-2-11*

PAGES (including this cover sheet):

*8*

NOTE:

☐ D.C. OFFICE

335 Russell Senate Office Building  
Washington, DC 20510-0104  
Phone: (202) 224-4124  
Fax: (202) 224-3149

☐ BIRMINGHAM

341 Vance Federal Building  
1800 Fifth Avenue North  
Birmingham, AL 35203-2171  
Phone: (205) 731-1500  
Fax: (205) 731-0221

☐ HUNTSVILLE OFFICE

Regions Center, Suite 802  
200 Clinton Avenue, N.W.  
Huntsville, AL 35801-4932  
Phone: (256) 533-0979  
Fax: (256) 533-0745

☒ MOBILE OFFICE

Colonial Bank Centre, Suite 2300-A  
41 West I-65 Service Road North  
Mobile, AL 36608-1201  
Phone: (251) 414-3083  
Fax: (251) 414-5845

☐ MONTGOMERY OFFICE

7550 Halcyon Summit Drive  
Suite 150  
Montgomery, AL 36117  
Phone: (334) 244-7017  
Fax: (334) 244-7091

JEFF SESSIONS  
ALABAMA

COMMITTEES:  
BUDGET  
Ranking Member  
JUDICIARY  
ARMED SERVICES  
ENVIRONMENT AND PUBLIC WORKS

**United States Senate**  
WASHINGTON, DC 20510-0104

May 17, 2011

Mr. Michael Yeager  
Assistant Commissioner, Congressional Affairs  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue, NW, Suite 5.4A  
Washington, D.C. 20229

Dear Mr. Yeager:

I am enclosing a letter that I received from (b) (6), (b) (7)(C). Any information you may have regarding this matter would be appreciated so that I may respond to my constituent's inquiry.

Thank you for your assistance. Please respond to (b) (6), (b) (7)(C) in my Mobile Office at the following address:

Office of Senator Jeff Sessions  
41 West I-65 Service Road North, Suite 2300-A  
Mobile, Alabama 36608-1291  
251-414-3083

Very truly yours,

(b) (6), (b) (7)(C)

Jeff Sessions  
United States Senator

JS: st

**BIRMINGHAM**

341 VANCE FEDERAL BUILDING  
1800 FIFTH AVENUE NORTH  
BIRMINGHAM, AL 35203-2171  
(205) 731-1500

**HUNTSVILLE**

RELODING CENTER, SUITE 802  
200 CLINTON AVENUE, N.W.  
HUNTSVILLE, AL 35801-4832  
(256) 533-0979

**MOBILE**

BOBT CENTRE, SUITE 2000A  
41 WEST I-65 SERVICE ROAD NORTH  
MOBILE, AL 36608-1291  
(251) 414-3083

PRINTED ON RECYCLED PAPER

**MONTGOMERY**

7550 HALCYON SUMMIT DRIVE  
SUITE 150  
MONTGOMERY, AL 36117  
(334) 244-7117

**WIREGRASS**

UNITED STATES COURTHOUSE, SUITE 302  
100 WEST TRAY STREET  
DOTHAN, AL 36603  
(334) 792-4924

Page 2  
May 9, 2011

## Privacy Act Release

Date: 05/11/2011  
Social Security No. (b) (6), (b) (7)(C)  
Claim No. (b) (6), (b) (7)(C)  
SR C/A No. (b) (7)(E)

Dear Senator Sessions

I request your assistance in resolving the problem I am having with (agency) \_\_\_\_\_

Give highlights, necessary dates and locations. Use second sheet if needed.

*I have attached a response from my company to US Customs.  
This response will basically explain this situation.  
We really need help with this. These knives with our logo on them  
really represents a large sale to us. Please, let me know if  
any other information is needed. Thank you!*

(b) (6), (b) (7)(C)

In keeping with the restrictions of the privacy act, you are authorized to request any information required to assist me.

Name: (printed) (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Home Phone: (b) (6), (b) (7)(C) Work (b) (6), (b) (7)(C)

Signature: (b) (6), (b) (7)(C)

Please return this form to:

Office of U.S. Senator Jeff Sessions  
41 West I-65 Service Road North, Suite 2300-A  
Mobile, Alabama 36608-1291  
251-414-3083 phone  
251-414-5845 fax



American Distribution Company, LLC

(b) (6), (b) (7)(C)

2ND  
Appeal  
to Customs

March 23, 2011

Case NO.: 2011-2704-000302

Attention: (b) (6), (b) (7)(C)

Ms. (b) (6), (b) (7)(C)

Thank you for taking time to discuss my seizure case again. We have a total of 4800 pieces of two different styles of knives. As I told you before, we want to forfeit the 1200 "Marine Corp Logo" knives. The US Government, US Customs and US Military Branches being employees of the American Public, we did not have any idea that you could not use our countries shields. So again, we would just like to donate these to the Marine Corp.

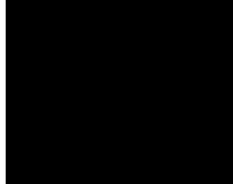
Does this mean we can not put our American Flag on our product? Is this in violation of your interpretation of Title 19 law? This day has really saddened me as an American Citizen and Business owner trying to make a living. By your interpretation of this law, we cannot use our American Flag.

Per our conversation on March 23, 2011, you ask I resubmit a second petition to re-state our position on the 3600 knives with our company logo on them, which are in expensive acrylic cases. I have done some more research on this and have found many companies in the UNITED STATES of AMERICA that manufacture knives in China, proudly put USA in their company name. Attached are pictures of 6 different knives that I purchased in Mobile, Alabama. All of these have USA in their company name and ALL of these have "Made in China" on the merchandise box. ALL, not some ...ALL. The exact same as we do.

We have been in business for seven years and our company name is "AMERICAN"....that is AMERICAN DISTRIBUTION COMPANY. We place our name followed by "A USA COMPANY" on ever product we manufacture. I do not understand why these knives have been held since August 2010. I have gone through the US Customs Code Violation and I cannot find the reason that you are stating. It is not in Title 19, United States Code, Section 1304. I read the entire Title 19 Chapter and it is not there. This was some US Customs agent's interpretation. NOT a LAW. Please read it.

As we discussed, the (b) (6), (b) (7)(C) is a product logo for our knife line. We logo all of product with our company logo, which also has USA in the logo and we logo all product with a product logo. We have several product logos for all of our wide variety of product. This is how we define and market our product. (b) (6), (b) (7)(C) is a logo we designed based on a fourth generation family name, who was born in the 1800's here in AMERICA (and the pride of being an American, which is slowly fading in this country because of situations like this). We have been selling these knives for seven years and we have never had any problem. I have now instructed our China knife manufacturer to take the USA off of all product. From:

(b) (6), (b) (7)(C)



to

This will be our new Cutlery logo.

I am asking and pleading for you to reconsider and look at these further. We are a moral company and we have never and will never have any intentions of deception. These 3600 knives in the acrylic cases, represent a large sell for us. We are currently in financial despair. If this were true deception or something that was going to hurt the American public, I would completely understand. But it is not. The only people that it will hurt is our family company and my family.

Please review Title 19, United States Code, Section 1595a and 1304. If you look at these knives, they are not marked "USA". They are marked (b) (6), (b) (7)(C) There is clear marking on each package, saying "Made in China". This is on the item packaging, the UPC and the master cases. There is NO deception to the American public. Also, take a look at the pictures. Six companies make their knives in China at the same factories that we do. All mark their knives with Company Name USA.

PLEASE help me with this and do what is right.

Sincerely,

(b) (6), (b) (7)(C)

American Distribution Company, LLC

U.S. Customs and  
Border Protection

MAR 18 2011

Case No.: 2011-2704-000302  
lme

(b) (6), (b) (7)(C)

Dear Mr. (b) (6), (b) (7)(C)

This is in response to your petition dated January 6, 2011, requesting relief from forfeiture of the merchandise seized by Customs and Border Protection (CBP) pursuant to Title 19, United States Code, Section 1595a(c)(2)(B), for violation of Title 10, United States Code, Section 7881. Customs and Border Protection (CBP) also seized the merchandise listed below pursuant to Title 19, United States Code, Section 1595a(c)(2)(E) for violation of Title 19, United States Code, Section 1304.

Your petition states that your company logo displayed on 3600 of the knives includes the letters "USA" as part of the logo design itself, not that you mean to deceive anyone into thinking that the country of origin of the merchandise is the United States. You added that you will henceforth be removing the "USA" part of the logo on all forthcoming shipments of knives.

Pursuant to 19CFR134.22(c), whenever merchandise is marked with a US name and address, the real country of origin must be in close proximity to that marking so there is no confusion about where the goods were made. On the front of your outer packaging, you prominently claim to be "a USA company" but the "Made in China" sticker is only displayed on a small UPC label on the back of the packaging. Nowhere in your petition do you request for manipulation of the seized knives to be re-marked and then released.

Therefore, the merchandise you attempted to import must be deemed inadmissible and CBP's decision is to deny relief from forfeiture. This decision is based on the reasons explained above.

4800 of these knives were seized for violation of 10USC7881, which protects the seal, emblem, and insignia from unauthorized use of the Marine Corps logo, without permission from the Secretary of the Navy, which you do not have. These you asked to be forfeited or donated.

We have been advised by the Internal Revenue Service that amounts paid as penalties in connection with violations of Customs laws are not deductible for Federal Income Tax purposes. Furthermore, deductions are not permitted for the value of merchandise forfeited to the government as a result of violations of Customs laws if the taxpayer claiming the deductions has committed a violation.

Please direct all inquiries not answered by this letter to the attention of (b) (6), (b) (7)(C) Paralegal Specialist, Fines, Penalties and Forfeitures, at the address shown or call (562) 366-3298.

Sincerely,

(b) (6), (b) (7)(C)

Director, Fines, Penalties  
and Forfeitures

Enclosures

Election of Proceedings/Waiver Form  
Abandonment Form